

§ 6232. Sanctions**(a) Termination or suspension of assistance****(1) In general**

The Secretaries may terminate or suspend any financial assistance under this chapter, in whole or in part, or not make payments under a grant awarded under this chapter, if the Secretaries determine that a recipient has failed to meet any requirements of this chapter, including—

- (A) reporting requirements under section 6192(c) of this title;
- (B) regulations under this chapter; or
- (C) requirements of an approved State plan.

(2) Notice and opportunity for hearing

If the Secretaries terminate or suspend such financial assistance, or do not make such payments under paragraph (1), with respect to a recipient, then the Secretaries shall provide—

- (A) prompt notice to such recipient; and
- (B) the opportunity for a hearing to such recipient not later than 30 days after the date on which such notice is provided.

(b) Nondelegation

The Secretaries shall not delegate any of the functions or authority specified in this section, other than to an officer whose appointment is required to be made by and with the advice and consent of the Senate.

(Pub. L. 103-239, title VI, § 602, May 4, 1994, 108 Stat. 604.)

§ 6233. State authority

Nothing in this chapter shall be construed to negate or supersede the legal authority, under State law or other applicable law, of any State agency, State entity, or State public official over programs that are under the jurisdiction of the agency, entity, or official. Nothing in this chapter shall be construed to interfere with the authority of such agency, entity, or official to enter into a contract under any provision of law.

(Pub. L. 103-239, title VI, § 603, May 4, 1994, 108 Stat. 604.)

§ 6234. Prohibition on Federal mandates, direction, and control

Nothing in this chapter shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State's, local educational agency's, or school's curriculum, program of instruction, or allocation of State or local resources or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this chapter.

(Pub. L. 103-239, title VI, § 604, May 4, 1994, 108 Stat. 605.)

§ 6235. Authorization of appropriations**(a) In general**

There are authorized to be appropriated to the Secretaries to carry out this chapter \$300,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996 through 1999.

(b) Reservations

From amounts appropriated under subsection (a) of this section for any fiscal year, the Secretaries—

(1) shall reserve not more than $\frac{1}{2}$ of 1 percent of such amounts for such fiscal year to provide grants under sections 6122 and 6142 of this title to the jurisdictions described in section 6122(b) of this title;

(2) shall reserve not more than $\frac{1}{2}$ of 1 percent of such amounts for such fiscal year to provide grants under part C of subchapter II of this chapter to establish and carry out School-to-Work Opportunities programs for Indian youths that involve Bureau funded schools (as defined in section 2026(3) of title 25);¹

(3) shall reserve 10 percent of such amounts for such fiscal year to provide grants under section 6172(b) of this title to local partnerships located in high poverty areas, which reserved funds may be used in conjunction with funds available under the Youth Fair Chance Program set forth in part H of title IV of the Job Training Partnership Act (29 U.S.C. 1782 et seq.);¹ and

(4)(A) shall reserve 2.5 percent of such amounts for such fiscal year to carry out section 6194 of this title; and

(B) shall reserve not more than an additional 5 percent of such amounts for such fiscal year to carry out other activities under subchapter IV of this chapter, and activities under sections 6144(d) and 6173(d) of this title.

(c) Availability of funds

Funds appropriated for any fiscal year for programs authorized under this chapter shall remain available until expended.

(Pub. L. 103-239, title VI, § 605, May 4, 1994, 108 Stat. 605; Pub. L. 105-362, title VIII, § 801(c)(6), Nov. 10, 1998, 112 Stat. 3288.)

REFERENCES IN TEXT

Section 2026(3) of title 25, referred to in subsec. (b)(2), was omitted in the general amendment of chapter 22 (§2001 et seq.) of Title 25, Indians, by Pub. L. 107-110, title X, §1042, Jan. 8, 2002, 115 Stat. 2007. For definition of "Bureau-funded school", see section 2021 of Title 25.

The Job Training Partnership Act, referred to in subsec. (b)(3), is Pub. L. 97-300, Oct. 13, 1982, 96 Stat. 1322, as amended, which was repealed by Pub. L. 105-220, title I, §199(b)(2), (c)(2)(B), Aug. 7, 1998, 112 Stat. 1059, effective July 1, 2000. Part H of title IV of the Act was classified generally to part H (§1782 et seq.) of subchapter IV of chapter 19 of Title 29, Labor. Pursuant to section 2940(b) of Title 29, references to a provision of the Job Training Partnership Act, effective Aug. 7, 1998, are deemed to refer to that provision or the corresponding provision of the Workforce Investment Act of 1998, Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, and effective July 1, 2000, are deemed to refer to the corresponding provision of the Workforce Investment Act of 1998. For complete classification of the Job Training Partnership Act to the Code, see Tables. For complete classification of the Workforce Investment Act of 1998 to the Code, see Short Title note set out under section 9201 of this title and Tables.

¹ See References in Text note below.

AMENDMENTS

1998—Subsec. (b)(2). Pub. L. 105-362, which directed substitution of “(as defined in section 2026(3) of title 25)” for “(as defined in section 2019(3) of title 25)” in section “605(b)(2) of the School-to-Work Opportunity Act of 1994”, was executed by making the substitution in subsec. (b)(2) of this section, which is section 605 of the School-to-Work Opportunities Act of 1994, to reflect the probable intent of Congress.

SUBCHAPTER VII—TECHNICAL PROVISIONS

§ 6251. Sunset

The authority provided by this chapter shall terminate on October 1, 2001.

(Pub. L. 103-239, title VIII, §802, May 4, 1994, 108 Stat. 608.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 103-239, May 4, 1994, 108 Stat. 568, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of this title and Tables.

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